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GOVERNMENT OF INDIA

MINISTRY OF FINANCE

NOTIFICATION

*New Delhi, the 25th June, 1949.*

THE INDUSTRIAL TRIBUNALS PAYMENT OF BONUS (NATIONAL SAVINGS CERTIFICATES) RULES, 1949.

**No. F. 15(42)-P/49.**—In exercise of the powers conferred by section 5 of the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949 (XI of 1949), the Central Government is pleased to make the following rules:—

1. *Short title and application.*—(1) These rules may be called the Industrial Tribunals Payment of Bonus (National Savings Certificates) Rules, 1949.

(2) These rules shall apply to cases under clause (a) of section 3 of the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(a) “Ordinance” means the Industrial Tribunals Payment of Bonus (National Savings Certificates) Ordinance, 1949;

(b) “Certificate” means a Post Office National Savings Certificate, issued under the Post Office National Savings Certificate Rules, 1944;

(c) “Savings Certificate Rules” means the Post Office National Savings Certificate Rules, 1944;

(d) “factory” means and includes any place of employment to which the Ordinance or these rules apply;

(e) “N. C. 1 form” means the form of application for the purchase of National Savings Certificates under Savings Certificates Rules;

(f) “post office” means the post office to which the factory is assigned by the Postmaster General of the Circle under these rules for the purpose of issuing the National Savings Certificates under the Ordinance or these rules to the employees:

(g) "amount" means that part of the amount of the bonus or instalment thereof which is to be paid in Certificates under the Ordinance or these rules;

(h) "register" means the register required to be maintained under rule 6;

(i) "authority" means the authority in the form given in Schedule II;

(j) all words and expressions used but not defined in these Rules and defined in the Ordinance or in the Industrial Disputes Act, 1947 (XIV of 1947), or in the Post Office National Savings Certificate Rules, 1944, have the meanings assigned to them in the Ordinance or in the Industrial Disputes Act or in the Savings Certificate Rules as the case may be.

3. The Certificates purchased or issued under these rules shall be governed, unless otherwise provided for in these rules, by the Savings Certificate Rules.

4. *Manner of payment of amount in Certificates.*—The employer shall, not later than the date fixed for payment of the bonus or instalment thereof, pay into the post office the total amount of the bonus or instalment payable to all his employees in National Savings Certificates. Such payment shall be made by a crossed cheque or draft payable to the postmaster of the post office or his order.

5. (1) The amount shall be paid in Certificates of the highest possible denomination or denominations.

(2) If the fraction of five rupees remaining thereafter shall be not less than Rs. 4-8-0, it shall be rounded off to five rupees and a five rupee certificate instead shall be given. In all other cases the fraction shall be rounded off to the nearest rupee and paid in cash.

#### *Illustrations*

(i) If the amount be Rs. 169-10-0, it shall be paid as follows:—

- One certificate of Rs. 100.
- One certificate of Rs. 50.
- One certificate of Rs. 10.
- One certificate of Rs. 5.

The balance of Rs. 4-10-0, shall be rounded off to Rs. 5 and one more certificate of Rs. 5 shall be given.

(ii) If the amount be Rs. 27-7-0, it shall be paid as follows:—

- Two certificates of Rs. 10 each.
- One certificate of Rs. 5.

The balance of Rs. 2-7-0 shall be rounded off to Rs. 2 and Rs. 2 shall be paid in cash.

6. *Procedure for issue of Certificates.*—The employer paying bonus to his employees under the provisions of this Ordinance shall maintain a record of such payment in the register of attendance and wages by adding therein the particulars specified in Schedule I in the columnar form shown therein.

7. It shall be the duty of the employer to see that the entries in the register are correctly made.

8. *N. C. 1 Forms.*—Within five days of the date on which the payment of bonus is made the employer shall have the N.C. 1 forms filled in by or on behalf of each employee for the appropriate amount and signed by such employee.

9. Such forms shall bear the name of the factory rubber-stamped at the top and below such name the word "Bonus" rubber-stamped thereon. The post office shall at the request of the employer supply him with the N. C. 1 forms in the number required for the purpose.

10. *Postal work at the factory.*—The employer shall give all the necessary facilities to the post office to station in the factory the postal officials for the purpose of payment of bonus in the form of Certificates.

11. *Authority.*—The employer shall fill in and give to the employee on the day of payment an authority to receive the amount to be given to him in the form of Certificates. Such authority shall be in the form specified in Schedule II.

12. *Preparation and issue of Certificates.*—The post office shall prepare the Certificates. These shall be made available to the employee through the postal officials stationed in each factory for the purposes of these Rules.

13. The Certificates shall be available on the premises of the factory on a date or dates to be fixed by the employer with the consent of the post office. At least three working days' notice of the said date or dates shall be given by the employer and such notice shall be displayed prominently on the premises of the factory. Such date or dates of payment shall be not later than one month from the date fixed for the payment of the bonus or its instalment.

14. The employer shall at the request of the postmaster depute for this purpose any person who can help in the identification of the employee receiving the Certificates.

15. Each employee shall at the time of receiving the Certificates return the authority duly discharged by endorsement to the postal official who shall deliver the Certificates to him.

16. Such Certificates as have not been received by the employees on the premises of the factory under Rule 14 shall be kept in the post office and shall be available thereafter in the post office in the ordinary course.

17. *Auditors.*—The register and the authority shall be audited by the auditors of the employer or (where there are no such auditors) by the auditor appointed by the Central or the Provincial Government, as the case may be.

# **SCHEDULE I**

Employees

Usual columns in the Register

Additional columns required under Rule 6

Amount of bonus payable in cash	Amount payable in National Savings Certificates	Amount of fraction of Rs. 5 payable in cash	Date of delivering of authority to receive National Savings Certificates	Date of delivering of National Savings Certificates
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SCHEDULE II

(To be handed to the employee when distributing bonus.)

AUTHORITY TO RECEIVE NATIONAL SAVINGS CERTIFICATES

[given by the employer to the employee under the Industrial Tribunal  
Payment of Bonus (National Savings Certificates) Rules, 1949.]

Name of factory..... Name of post office.....

Name of employee.....

Permanent/Probationer/Badli/Temporary

Department.....

Ticket No.....

Shift.....

Present address.....

Amount to be paid in National Savings  
Certificates.

Rs.....

Date.....

(Signature of manager or other autho-  
rised representative.)

Employee's signature in token of receipt  
of National Savings Certificates.

Attestation by the employer, or autho-  
rised representative if thumb impression.

Date.

Place

*Note.*—This authority should be preserved by the employee and should be  
handed over only on receipt of the above National Savings Certificates.

R. G. MUNDKUR,

*Under Secretary.*

